

MEETING SUMMARY

California Department of Water Resources

Independent Technical Panel for Demand Management Measures

February 1, 2016 | Meeting #27

Prepared by the Sacramento State University, Center for Collaborative Policy

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1. ACTION ITEMS

1. **Metrics Work Group** to review SBX7-7 water savings goal of 2 million acre-feet by 2020 and remedy any overlap of water savings goal stated in the Vision Statement.
2. **Ed Osann, Jeff Stephenson and Lisa Maddaus** to insert citations for the three bulleted items that list where water savings will be achieved
3. **CCP** to do global check all recommendations for proper reference of BOE versus Franchise Tax Board.
4. **Julie Saare-Edmonds** to request the list of state buildings from the Department of General Service to inform Section 5-3
5. **DWR** to obtain citations on previous Executive Orders addressing landscape water use on publically owned facilities to inform Section 5-3.
6. **Penny Falcon** to contact Dan Burgoyne at Department of General Services to discuss DGS efforts on water conservation measures and how they will be approaching outdoor water use to inform development of Section 5-3.
7. **CCP/DWR** to include definitions of *Customer Service Building* and *Sustainable Landscaping* in report glossary.
8. **DWR** to personally send proposal 7-2 to League of Cities for review and comment.
9. **CCP** to work with Ed Osann to ensure recommended changes in proposal 7-5 are shown in “strike and add” format.
10. **CCP/DWR** to ensure MWELo related recommendations are listed sequentially in the Public Report Draft.
11. **DWR** to send Recommendation 6-1 to Pool and Spa Association for review and comment.
12. **CCP and DWR** will compile the approved recommendations into the Public Draft Report. This will include a drafting a brief cover page outlining the components that will be included in the final submitted report (e.g. Introductory sections, glossary, appendices, etc.)

2. OVERVIEW OF FEBRUARY 1, 2016 WEBINAR

The California Department of Water Resources (DWR) Independent Technical Panel (ITP) for Demand Management Measures met via webinar for their twenty-seventh meeting on February 1, 2016 to accomplish the following objective:

- Review sections and individual recommendations that comprise the ITP’s Proposed Final Report on Landscape Water Use. The ITP will then vote formally on each section to determine its inclusion in the comprehensive report that will be released for public review approximately one week following this meeting (on or around February 8, 2016).
 - Draft sections of the ITP’s Proposed Final Report on Landscape Water Use are available on the DWR Water Calendar at: <http://www.water.ca.gov/calendar/index.cfm?meeting=25432>

On January 20-21, 2015, ITP members met to review and discuss each section of the ITP's Final Report. Authoring teams took the feedback provided by fellow panel members and members of the public and conducted a subsequent set of revisions to the Final Report sections, for review and formal action voting during this February 1, 2016 webinar. All sections that received five or more favorable votes were advanced for inclusion in the Public Report Draft. This draft is expected to be released during the window of February 8-10, 2016. The public comment period will extend until March 13, 2016.

Overview of formal voting outcome by section:

- Section 3: All in favor
- Section 4: All in favor
- Section 5-1: All in favor
- Section 5-2: All in favor
- Section 5-3: All in favor
- Section 6-1: All in favor
- Section 6-2: All in favor
- Section 6-3: All in favor
- Section 7-1A: All in favor
- Section 7-1B: All in favor
- Section 7-2: All in favor
- ~~Section 7-3:~~ *No longer a recommendation per January meeting*
- Section 7-4: 5 in favor; 2 opposed
- Section 7-5: All in favor
- ~~Section 7-6:~~ *No longer a recommendation per January meeting*
- Section 7-7: All in favor
- Section 7-8: 4 in favor; 2 opposed; 1 absent
- Section 8-1: All in favor
- Section 8-2: 5 in favor; 2 opposed
- Section 9-1: All in favor
- Section 10-1: All in favor
- Section 10-2: All in favor

3. WELCOME & OPENING REMARKS

Dave Ceppos, meeting facilitator from the Center for Collaborative Policy (CCP), California State University Sacramento, called the meeting to order and thanked the Panel members for their rapid one-week turn around on revising the draft recommendations. He noted each member was participating in the webinar via their locations listed publically on the meeting agenda. Upon reviewing the agenda and the sequence of discussion items, Mr. Ceppos explained that the ITP would have the opportunity to briefly discuss and hear public comment on each recommendation, and then would vote formally on whether or not to advance each particular

section forward to the compiled ITP Report Public Draft. The ITP agreed to advance all sections to the Public Report Draft that received five or more votes, per their Charter.

This meeting summary presents the draft recommendations in the order in which they were discussed by the ITP, rather than in sequential order.

4. DRAFT ITP FINAL REPORT SECTION REVIEW & ADVANCEMENT

A. SECTION 3: Vision Statement

Title: Achieving Sustainable Urban Landscapes Throughout California

ITP Discussion

- **ACTION ITEM:** Metrics Work Group to review SBX7-7 water savings goal of 2 million acre-feet by 2020 and remedy any overlap of water savings goal stated in the Vision Statement.
- **ACTION ITEM:** Ed Osann, Jeff Stevenson and Lisa Maddaus to insert citations for the three bulleted items that list where water savings will be achieved

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 3 to the Public Draft Report

B. SECTION 4: Voluntary Turf Replacement

Recommendation #1: Turf Replacement Incentive Program

ITP Discussion

- Third Paragraph: strike words “is purely decorative” in
- First Bullet: Change word “installed” to “existing”
- Sixth Bullet: If the proposal on high-efficiency nozzles does not go through, is the language here efficient enough to capture these proposed standards?
 - The general language is suitable.
- Re-insert requirement to use a minimum of 3” of mulch into first recommendation
- Recommendation 2: Update Board of Equalization (BOE) to Franchise Tax Board
- **ACTION ITEM:** CCP to do global check all recommendations for proper reference of BOE versus Franchise Tax Board.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 4 to the Public Draft Report

C. SECTION 5: Improvements in Existing Landscapes

Recommendation #1: Single-Family Residential Properties

ITP Discussion

- There is a short chapter in the Business and Professions Code regarding home inspectors. This was cited in the recent revisions, as an obvious place to tie in this recommendation.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 5-1 to the Public Draft Report

D. SECTION 5: Improvements in Existing Landscapes

Recommendation #3: State Owned Facilities

ITP Discussion

- This proposal has not been updated since discussion at the January 21st ITP meeting.
- There are several areas in this proposal where placeholders for metrics remain. If DWR or the Metrics Work Group is unable to obtain these metrics, these areas will be left vague in the public draft.
- **ACTION ITEM:** Julie Saare-Edmonds to request the list of state buildings from the Department of General Service to inform Section 5-3
- **ACTION ITEM:** DWR to obtain citations on previous Executive Orders addressing landscape water use on publically owned facilities to inform Section 5-3.
- **ACTION ITEM:** Penny Falcon to contact Dan Burgoyne at Department of General Services to discuss DGS efforts on water conservation measures and how they will be approaching outdoor water use to inform development of Section 5-3.
- Still need definition of *Customer Service Building*.
 - This may be any building that is open to the public and visited by customers.
 - It is too difficult to quantify the number of visitors each building receives annually, and thus it is not appropriate to use number of visitors as a designation criterion.
- Listed recommendations 1 and 2 both refer to Sustainable Landscaping. While this is defined in the Key Strategy: Watershed Approach document, and to an extent in the Vision Statement, this should also be included in the glossary.
- **ACTION ITEM:** CCP / DWR to include definitions of *Customer Service Building* and *sustainable Landscaping* in report glossary.

- ITP members were made aware that the glossary will not be prepared in time to include with the release of the Public Report Draft.
- On recommendation 6, insert “rainwater and/or” before “stormwater” and change terminology of “where possible” to “where site conditions permit”
- Members would like to continue discussing the option of requiring continuing education, possibly focused on water budgeting, at the March meeting. It was agreed that it is not necessary to make this revision for the Public Draft.
- A timeframe for compliance of January 1, 2021 was added to recommendation 5.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 5-3 to the Public Draft Report

E. SECTION 6: New Landscapes

Recommendation #2: State Facility Leadership for New Landscape

ITP Discussion

- This proposal has not been updated since discussion at the January 21st ITP meeting.
- Recommendation 1, it was discussed previously that the funding request should be generalized. However, the authoring members decided against making changes to this recommendation language.
- Note that recommendation 4 speaks to strengthening the State’s Green Building Action Plan.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 6-2 to the Public Draft Report

F. SECTION 7: Complementary Policies and Regulations

Recommendation #1A: Product Standards for Irrigation Equipment – Controllers

ITP Discussion

- Recommendation 2, change term “DWR should *include*” to “DWR should *provide*”. This would address DWR’s concerns about being required to provide trainings on myriad types of controllers, that would in term make the trainings too broad to be effective.

- Will keep reference to “external battery back-up” in Public Report Draft, and see if comments are made to use of this term and its accuracy. This definition is taken directly from the WaterSense specifications, however in practice, controllers most typically have batteries *inside* the panels.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 7-1A to the Public Draft Report

G. SECTION 7: Complementary Policies and Regulations

Recommendation #1B: Product Standards for Irrigation Equipment – Sprinkler Bodies

ITP Discussion

- None

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 7-1B to the Public Draft Report

H. SECTION 7: Complementary Policies and Regulations

Recommendation #2: Permit Required for Irrigation Installation

ITP Discussion

- **ACTION ITEM:** DWR to personally send proposal 7-2 to League of Cities for review and comment.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 7-2 to the Public Draft Report

I. SECTION 7: Complementary Policies and Regulations

Recommendation #5: Plant Labeling

ITP Discussion

- Paragraph related to Article 53483 addresses the comments made by Josh Kerr, California Department of Food and Agriculture (CDFA), at the January meeting.
 - The last sentence stating “turf shall be labeled...” is existing language, unchanged.
- **ACTION ITEM:** CCP to work with Ed Osann to ensure recommended changes in proposal 7-5 are shown in “strike and add” format.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 7-5 to the Public Draft Report

J. SECTION 8: Workforce to Accomplish the Transformation

Recommendation #2: C-27 Examination Questions Covering Water Use Efficiency and Sustainable Practices

ITP Discussion

- Policy documents submitted from Wendi Balvanz, Contractors State License Board (CSLB) regarding C-27 testing were posted to the DWR Water Calendar on January 27th.
- One member of this authoring team reviewed these policy documents and agrees with Ms. Balvanz’s sentiment that this proposal may be duplicative of CSLB’s current processes. He also had additional conversation with Ms. Balvanz to confirm that contractors are surveyed in the development of the exam questions, and that a percentage of the survey questions address water use efficiency and sustainability.
 - CSLB will be completing their every five-year exam update this June.
- It was suggested that the proposal language be revised to take on a more supportive tone for the work currently being done by CSLB.
- Another suggestion was made to articulate in the background section that the ITP is aware of CSLB’s current process, however the ITP feels strongly that this is something that should get close attention and support, and thus opted to proceed with this proposal.
 - Validating the mission of the agency is important, and it must be made clear that the ITP has done its research on this recommendation. It appears that staff developing the exam questions have some leeway in the questions included, and the ITP would like to ensure questions about water use efficiency and sustainable landscaping practices are included.

- Because of how the system is structured, the one thing the Association could do would be to conduct targeted outreach to licensed contractors and encourage them to participate in the exam update process.
- The recommendation will be revised to read: “The CSLB work with the California Landscape Contractors Association to revise...”
- One member stated they would prefer the content of this proposal to move to a Key Strategies section.

Public Comment

- None

ITP Formal Vote

- In Favor: Ed Osann, Peter Estournes, Dave Fujino, William Granger, Lisa Maddaus
- Opposed: Jeff Stephenson, Penny Falcon

K. SECTION 9: Public Perceptions and Social Norms

Recommendation #1: Defining Professionals: Recognition of Examples of Low Water Use Landscapes and a Sustainable Statewide Approach to Outreach and Information

ITP Discussion

- None

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 9-1 to the Public Draft Report

L. SECTION 10: Research and Documentation Needs and Support

Recommendation #2: Water Use Classification of Landscape Species (WUCOLS) IV Support

ITP Discussion

- None

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 10-2 to the Public Draft Report

M. SECTION 6: State Model Water Efficient Landscape Ordinance (MWELo) Future Revisions and Process Revisions

Recommendation #1: MWELo Future Revisions for Next Review Cycle

ITP Discussion

- Sections 6-1 and 6-3 should actually be listed immediately following each other in the report.
- **ACTION ITEM:** CCP/DWR to ensure MWELo related recommendations are listed sequentially in the Public Report Draft.
- Pool/Spa Cover Recommendation: concerns were raised that this language does not adequately address the need to have a fence around a pool. However, the Model Building Codes already require all new pools to have a barrier of adequate height.
- The Code only requires pool covers for new, heated pools only. This new provision would also require covers for unheated pools.
 - The draft language will remain as written. The draft proposal should be sent directly to the Pool and Spa Association for review and comment.
 - **ACTION ITEM:** DWR to send Recommendation 6-1 to Pool and Spa Association for review and comment.
- Irrigation Schedule & Hydrozone Maps: All references to irrigation schedule should be deleted per previous ITP conversation, and that irrigation schedules can be reviewed by circulating the program in the controller.
- Audit Sampling: revise justification language to read: "There is no allowance for audit sampling..."

Public Comment

- Regarding Evapotranspiration Adjustment Factor (ETAF) for Special Landscaped Areas: Special landscaped areas are those areas that justify use of irrigation water (e.g. parks and baseball fields). It seems counterproductive to adjust the ETAF from 1.0 to 0.8, thereby only allowing for use of 80% of what the area actually needs.
 - **ITP Response:** This is a recommendation the ITP made to DWR in June, and voted at that time to maintain this proposed ETAF adjustment factor. This applies to *new* installations only. Furthermore, the ETAF is not a determination of the water the landscape needs, it is a reference for cool season turf. The ITP has heard from multiple developers that there are water efficient turfs available on the market, and that landscape irrigation efficiency of special landscaped areas can be improved.
 - **DWR:** The 2010 version of MWELo does quantify an ETAF of 1.0 for special landscaped areas.
- Regarding Turf Grass Slope: This member of the public maintains his objections to the proposed reduction in allowable turf slope with spray irrigation from 25% to 10%. It is

possible to water grass on a slope with such steepness without generating runoff, as confirmed by a Cal Poly-Pomona study. He suggests leaving the slope at 25%.

- Regarding the requirement to post an irrigation schedule: If this is required, allowances should be made for smart controllers that do not water on a specific schedule but instead based on real-time calculations of weather and soil-moisture.

ITP Formal Vote

- All members in favor of advancing Section 6-1 to the Public Draft Report

N. SECTION 6: State Model Water Efficient Landscape Ordinance (MWELO) Future Revisions and Process Revisions

Recommendation #3: MWELO Revision: Aligning with the CalGreen Title 24 Revision Process to Maximize Enforcement

ITP Discussion

- As this recommendation was extracted from the Section 6-1 Table per the ITP's recommendation made in December, background narrative was added to this proposal.
- Requested to update recommendation title to "MWELO Revision:"

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 6-3 to the Public Draft Report

O. SECTION 5: Improvements in Existing Landscapes

Recommendation #2: Landscapes Over 1 Acre

ITP Discussion

- This revised draft restructures the recommendations. There were no changes to the the content of the proposal.
- One member remains concerned about requiring the governing entities to perform the test.
 - Section 493 of MWELO states that it is the responsibility of a local agency. This is not necessarily the land use agency. However, it should be clarified in the proposal that it is the responsibility of local agencies to provide notice for reporting requirements.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 5-2 to the Public Draft Report

P. SECTION 7: Complementary Policies and Regulations

Recommendation #7: Upgrades to California Irrigation Management Information System (CIMIS)

ITP Discussion

- None

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 7-7 to the Public Draft Report

Q. SECTION 8: Workforce to Accomplish the Transformation

Recommendation #1: Certification of Professionals

ITP Discussion

- None

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 8-1 to the Public Draft Report

R. SECTION 10: Research and Documentation Needs and Support

Recommendation #1: [Title Pending]

ITP Discussion

- Determined to strike any references to a public goods charge and references to sustainable funding mechanisms.

Public Comment

- None

ITP Formal Vote

- All members in favor of advancing Section 10-1 to the Public Draft Report

S. SECTION 7: Complementary Policies and Regulations

Recommendation #4: Piloting Connection Charges that Promote Landscape Efficiency

ITP Discussion

- This document was thoroughly reviewed to remove any requirements made of water suppliers in order to address the concerns stated by the water supplier members of the ITP. In this respect, recommendation 1 now states DWR should develop and test one or more methods for relating improvements in the water efficiency of new landscapes required by MWEL 2015 with the peak demand and system capacity requirements of new buildings and landscapes connecting to a water system.
 - While these changes to the proposal are appreciated, concerns remain. How water agencies set and collect rate fees is up to their respective Boards.
 - The proposal as written does not prohibit that from continuing to happen. The agencies still have the option to participate in this program, as it is written.
- It was suggested to add a time frame to recommendation 1.
- One member stated support for recommendation 2.

Public Comment

- None

ITP Formal Vote

- In Favor: Ed Osann, Lisa Maddaus, Peter Estournes, William Granger, Dave Fujino
- Opposed: Jeff Stephenson and Penny Falcon

***Note:** ITP member Penny Falcon left the webinar at this point in the discussion.

T. SECTION 7: Complementary Policies and Regulations

Recommendation #8: Water Budget Performance Reporting

ITP Discussion

- No changes were made to this proposal since December. The authoring team is interested in the panel's opinion on if this should go to public comment or not.
- One member was interested in understanding the costs associated with data gathering.
 - Per OmniEarth's presentation at the December meeting, it is estimated to be less than \$1 per account for the initial set-up fee. In addition, this is an increasingly competitive market, so costs are expected to go down.
- It was suggested that DWR provide first year funding or partial-funding support for the development of base maps. This approach would be supportive of Method 2 for SBX7-7.
 - The recommendation will be redrafted to read: "The State Water Resources Control Board, following stakeholder involvement and comment, should develop and adopt a non-drought regulation for the efficiency of landscape water use."

After funding appropriations to support development of base maps by DWR to aid in development of the reports, and after sufficient notice and opportunity for data gathering, each water supplier may report landscape water use on an annual basis to DWR and the State Board in line with SBX7-7 Method 2 along with the ET-based water budget applicable to all landscapes in the service area for that year based on current MWELO, together with steps taken, or to be taken, to bring excessive landscape water use down to the levels specified in MWELO. For other particulars of such a regulation, including phase-ins and exceptions, we defer to the Board and stakeholders.”

Public Comment

- None

ITP Formal Vote

- In Favor: Ed Osann, Lisa Maddaus, Peter Estournes, Dave Fujino
- Opposed: Jeff Stephenson and William Granger
- Absent: Penny Falcon

5. NEXT STEPS & CLOSING REMARKS

- Due to time constraints, the draft Key Strategies will be discussed at the next ITP meeting, and will not be included in the initial release of the Public Report Draft.
 - If the ITP has interest, Lisa Maddaus will draft another section for Science and Tools for future discussion.
- **ACTION ITEM:** CCP and DWR will compile the approved recommendations into the Public Draft Report. This will include a drafting a brief cover page outlining the components that will be included in the final submitted report (e.g. Introductory sections, glossary, appendices, etc.)
- Expected Public Draft release date window: **February 8 – 10, 2016.**
 - The comment period will then extend until **March 7, 2016.**
 - Public Comment meeting will be held **March 4, 2016** at the San Diego County Water Authority in San Diego, CA.

6. ATTENDANCE

ITP Members

Dave Fujino
Ed Osann
Jeff Stephenson
Lisa Maddaus
Penny Falcon
Peter Estournes
William Granger

Staff

Dave Ceppos, CCP
Julie Saare-Edmonds, DWR
Meagan Wylie, CCP
Vicki Lake, DWR

Public

Amelia Lima
Bob Raymer
Jon Wreschinsky
Ron Wolfarth